



AGENDA
REGULAR COUNCIL MEETING
January 2nd, 2019 / 6:00 pm

- **CALL TO ORDER** 6:00pm
- **PLEDGE OF ALLEGIANCE**
- **ROLL CALL** Spanjers, Bissen, Albrecht, Pfiffner, Walsh
- **ACTION TO CHANGE AGENDA:** Added items:
 - o 8.3 Contracts City Buildings
 - o 8.4 Sewer Contract Oliver

1. Consent Agenda: Motion by Albrecht, Seconded by Spanjers. Unanimous

All items listed under the consent agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1.1 Minutes:
December 4, 2018

1.2 Bills Payable Through: December 29, 2018

1.3 Consolidated Balance Sheet: December 29, 2018 (None)

● **SWEARING IN OF MAYOR WALSH & COUNCIL MEMBERS SPANJERS, BISSEN & FEUERHELM**

Council member Pfiffner administered oath to Mayor Walsh

Mayor Walsh administered oath to council members Feuerhelm, Spanjers, and Bissen

2. **Water/Waste Water/City Engineer:** Maintenance Supervisor Matt Vetsch reported return pump is up and running at sewer plant. Vetsch also noted he was still working on getting prices for well control upgrades.
3. **Library/City Hall:** Librarian DeAnna McCabe reported lots of events to happen at the library coming up.
4. **Police Dept./City Attorney:**
 - 4.1 Flood update Chief Schuldt talked about the flood repairs that have been turned in for payment with the state paying 75%. The repairs that have to be done yet to finish up need to be paid 100% by the city. The flood committee will need to meet in the next few weeks to start the next phase.
 - 4.2 Animal Control Contract can't be updated with the previous person so Schuldt has been working with a new person that is interested in the same contract for 1200 a year the only change being they can come to the city for \$75.00 towards vet bills for an animal that gets hit by a car in city limits.
5. **Streets / Maintenance:** Vetsch reported everything was going good at this time.
6. **Recreation Board:** None
7. **Planning Commission / Zoning :** None
8. **New Business:**

8.1 Performance Evaluation – The City Council may go into closed session pursuant to the authority of Minn. Stat. § 13D.05 Subd. 3 to evaluate the performance of an individual subject to its authority. The purpose of the closed session was to consider the performance of Eric Leitzen, City Clerk. City Clerk Leitzen was in attendance and requested that the meeting be closed. Motion was made to go into closed session to consider performance evaluation for the City Clerk. Unanimously approved. The Council then went into closed session to conduct the performance evaluation.

Motion to end closed session and reconvene regular meeting by Bissen, Seconded by Feuerhelm. Unanimous. The open meeting was reconvened and opened to the public.

At the commencement of the open meeting, the City Attorney read the following summary of the conclusions regarding the performance evaluation.

The City Council reviewed the performance of City Clerk Eric Leitzen. The City Council determined that the Clerk has been failing to perform essential job duties of the position of City Clerk by failing to keep adequate records of payments made to the City of Hokah or by issuing appropriate receipts for deposits made to the City of Hokah. The City Clerk has failed to adequately and appropriately keep the City Council informed of significant day-to-day operations of the City and by failing to keep

adequate paperwork relating to the 2018 flood events and a general underperformance relating to essential job duties both relating to the day-to-day operations of the City and the 2018 flood events.

No questions or comments were asked of Attorney Wieser. Motion to approve Attorney Wieser's summary by Bissen, second by Spanjers. Unanimous. No action taken.

Clerk Leitzen requested an opportunity to address the City Council. Clerk Leitzen advised the Council he was tendering his resignation effective immediately. Motion to accept the resignation from Mayor Walsh, second by Pfiffner. Unanimous. In light of the action taken by Leitzen, the city council would not take any further action relating to the performance evaluation.

8.2 Delegation of Authority – In the absence of the City Administrator, the City Council will consider formally delegating emergency day-to-day personnel matters to Mayor to include paid leave, subject to full City Council review and approval. Attorney Wieser explained that due to action taken against the city employee it was discovered that since there is not a full-time administrator, combination of a mayor and personnel committee and attorney consultation decisions were made due to the meeting sequence as such that that things cannot wait two to three weeks for resolution, so Wieser felt it would be appropriate with respect to emergent matters that something be on file that would authorize the mayor, subject to council approval to handle some personnel matters, to include a paid leave, to have someone delegated to approve rather than to hold a special council meeting. This would be a temporary decision, until the next council meeting, so there is something on file that gives the mayor that ability. Motion to, in the absence of the City Administrator to authorize the mayor to assume emergency day-to-day personnel matters–Motion Spanjers, second Bissen. Unanimous.

8.3 Contracts City Building

Attorney Wieser discussed the previous month's meeting about the rental agreements for the 211 Main Street properties, a new 6 month lease, raising the rent and having the Tas-Tee Shoppe pay utilities. Since the previous month it was discovered she was behind in rent by one month, and the January rent had not been paid yet either. Wieser discussed having a dialogue with the tenant to see if they are interested in agreeing to the term, or by failure to pay rent it would be a breach of the agreement. Customarily you would send a notice that the rent wasn't paid, and then subsequent to that the eviction process would start. Wieser advised to contact the renter to see how they would like to proceed. Councilman Bissen discussed talking to the renter. The Mayor agreed to discuss with the renter to get the rent current, then discussing if she is willing to agree to the extension of the lease agreed to in December. The mayor will have a discussion with the renter and discuss it at February's meeting.

8.4 Sewer Contract Oliver

Now that Vetsch has his water license now, discussion was had with Ron Cordes to take over the sewer duties, at a lower rate, \$60 an hour up to four hours a month. A 30-day notice was required in Oliver's contract. Personnel Committee member Michelle Spanjers questioned which contract was valid. Wieser discussed the differences of the contracts, calendar year versus part-time employment. Wieser stated the 30-day notice would be given and that let the State know that there would be a new name on the water portion. Motion to send a letter to Oliver a letter to provide a 30-day notice of no longer needing his services–Motion Bissen, Spanjers second. Unanimous.

9. Old Business:

9.1 Curb Stop Policy City Attorney Wieser is still working on this.

Personnel Committee Update given by Michelle Spanjers. The committee received the resignation of Eli Craig of the part-time maintenance position. Craig will be taking a full-time position at the City of Caledonia. Spanjers provided the exit interview to the council. Motion was made to accept the resignation of Eli Craig–Motion Spanjers, Second Feuerhem. Unanimous.

10. Council Member's Comments/Community Input:

11. **Mayor's Comments:** City Appointments: Planning Commission: Matt Vetsch and Cindy Pfiffner, Jim Feurehelm, Lance Ross and Joan Ross. Library Board: Ben Spanjers, Barb Bissen, Judy Lonkoski, Dar Walsh, discussed ways to get circulation better, figure out what the best place for the library should be. Where is best for the community. Recreational Board: Don Bissen, Tara Gratten, Tom Kirchoff, Sam Mullen and Niki Jenkins. Rec board needs to figure out the coaching for baseball, and staffing at the pool. Tom Kirchoff can let everyone know the concerns from the maintenance department. The Mayo would recommend he is invited to Library and Rec Board meetings as well. Personnel Committee: Bob Schuldt, Jim Feuerhelm, Matt Vetsch, Michelle Spanjers, Cindy Pfiffner. Mayor Walsh voiced he didn't think the city needed an administrator and could get along with a clerk. Tom Kirchoff as Forrester. Office and financial person; Ben Spanjers. Sewer plant: Mike Walsh will take that. Official Bank Depositories, Official Newspaper: Instead of Houston County News to use Caledonia Argus, council agreed. Mayor Pro-Tempore will continue as Councilman Pfiffner.
12. **Staff Correspondence:** Houston County EDA meeting: Leitzen updated the council that EDA is looking to get funding to revitalize downtown areas. Leitzen recommended she was contacted to follow through.
13. **Correspondence Received:** Houston County EDA – Airport Survey– Leitzen stated she was looking for people to fill out a survey for the Houston County Airport
14. **Announcements Next Council Meeting:** February 5th 2019
15. **Items for next Agenda:** Curb stops, contracts for the wastewater plant.

16. Adjournment: Motion Bissen, second Feuerhelm. Unanimous.